

JS 44 (Rev. 12/12)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

STEPHEN McCLOSKEY
333 RIDLEY AVE
FOLSOM, PA 19033

(b) County of Residence of First Listed Plaintiff DELAWARE
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

JOHNATHAN MARX, ESQUIRE
TWO BALA PLAZA
BALA CYNWYD, PA 19004

DEFENDANTS

COMMUNITY EDUCATION CENTERS, INC

County of Residence of First Listed Defendant WEST CALDWELL, NJ
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

MATTHEW H. FRY, ESQUIRE
21 WEST FRONT STREET
MEDIA, PA 19063

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|----------------------------|---|----------------------------|---------------------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	REAL PROPERTY	LABOR	PROPERTY RIGHTS	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input checked="" type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	

V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding
- ☒ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Brief description of cause:

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

09/13/2016

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CASE MANAGEMENT TRACK DESIGNATION FORM

STEPHEN McCLOSKEY	:	CIVIL ACTION
	:	
v.	:	
COMMUNITY EDUCATION CENTERS, INC	:	NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. (X)
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. ()

<u>September 13, 2016</u>	<u>Matthew H. Fry, Esquire</u>	<u>Defendant, Community Education Centers</u>
Date	Attorney-at-law	Attorney for
<u>(610) 565-5700</u>	<u>(610) 891-0652</u>	<u>mfry@dioriosereni.com</u>
Telephone	FAX Number	E-Mail Address

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: Stephen McCloskey; 333 Ridley Ave, Folsom, PA 19033

Address of Defendant: Community Education Centers, Inc.

Place of Accident, Incident or Transaction: Thornton, PA

(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?

(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a))

Yes ☐ No ☒

Does this case involve multidistrict litigation possibilities?

Yes ☐ No ☒

RELATED CASE, IF ANY:

Case Number: _____ Judge _____

Date Terminated: _____

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?
Yes ☐ No ☒
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?
Yes ☐ No ☒
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?
Yes ☐ No ☒
4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?
Yes ☐ No ☒

CIVIL; (Place ☒ in ONE CATEGORY ONLY)

A. Federal Question Cases:

1. ☐ Indemnity Contract, Marine Contract, and All Other Contracts
2. ☐ FELA
3. ☐ Jones Act-Personal Injury
4. ☐ Antitrust
5. ☐ Patent
6. ☐ Labor-Management Relations
7. ☐ Civil Rights
8. ☐ Habeas Corpus
9. ☐ Securities Act(s) Cases
10. ☐ Social Security Review Cases
11. ☐ All other Federal Question Cases
(Please specify) _____

B. Diversity Jurisdiction Cases:

1. ☐ Insurance Contract and Other Contracts
2. ☐ Airplane Personal Injury
3. ☐ Assault, Defamation
4. ☐ Marine Personal Injury
5. ☐ Motor Vehicle Personal Injury
6. ☒ Other Personal Injury (Please specify)
7. ☐ Products Liability
8. ☐ Products Liability — Asbestos
9. ☐ All other Diversity Cases
(Please specify) Medical Malpractice

ARBITRATION CERTIFICATION

(Check Appropriate Category)

I, _____, counsel of record do hereby certify:

- ☐ Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;
- ☐ Relief other than monetary damages is sought.

DATE: _____

Attorney-at-Law

Attorney I.D.# _____

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 9/13/16

Attorney-at-Law

83131

Attorney I.D.#

3. Plaintiff, Stephen McCloskey, is an adult individual with a residence address of 333 Ridley Avenue, Folsom, PA and is thus a citizen of Pennsylvania for purposes of 28 U.S.C. §1332.

4. Defendant Community Education Centers, Inc., is a Delaware corporation with a principal place of business at 35 Fairfield Place, West Caldwell, New Jersey 07006 and is thus a citizen of New Jersey for the purposes of 28 U.S.C. §1332.

5. Defendant Correctional Medical Associates, Inc., upon information and belief, is a foreign corporation not registered in the State of Pennsylvania, and has an address of 1000 Circle 75 Parkway, Suite 060, Atlanta, GA 30339.

6. Plaintiff's Complaint seeks damages in excess of \$75,000 based upon the injuries alleged and the fact that he has filed this case as a major jury trial. Thus, upon information and belief, the amount in controversy is in excess of the jurisdictional amount for diversity jurisdiction.

7. There is diversity of citizenship between Plaintiff and Defendant; therefore, this Court has jurisdiction over this matter through federal diversity jurisdiction, pursuant to 28 U.S.C. §1332.

8. The entire record from the State Court is attached, which consists of Exhibit B, Plaintiff's Complaint; Exhibit C, Plaintiff's Writ of Summons; and Exhibit D, Defendant's Rule to File Complaint.

WHEREFORE, Defendant hereby gives notice of removal of the above action now pending in the Court of Common Pleas of Delaware County, Pennsylvania to the United States District Court for the Eastern District of Pennsylvania. This action will proceed in this Court as an action properly removed thereto.

DATE: September 13, 2016

BY:

DIORIO & SERENI, LLP


ROBERT M. DIORIO, ESQ.

Attorney ID No.: 17838

MATTHEW H. FRY, ESQ.

Attorney ID No.: 83131

DiOrio & Sereni LLP

P.O. Box 1789

Media, PA 19063



Delaware County, Pennsylvania

Rich in Culture, History and Commerce

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Case Information

Date: September 12, 2016 3:37:56 PM EDT

Case Filing Date	Case Number	Case Type
06/20/2016	2016-005383	Medical Professional Liability

Litigant(s) Information

Party Name	Attorney(s)	Party Role	Address	Case Filing Date
MCCLOSKEY, STEPHEN	MARX, JONATHAN D	Plaintiff	333 RIDLEY AVENUE FOLSOM PENNSYLVANIA 19033	06/20/2016
COMMUNITY EDUCATION CENTER, INC	DIORIO, ROBERT M	Defendant	35 FAIRFILED PLACE CALDWELL NEW JERSEY 07006	06/20/2016
CORRECTIONAL MEDICAL ASSOCIATES INC		Defendant	1000 CIRCLE 75 PARKWAY SUITE 060 ATLANTA GEORGIA 30339	06/20/2016

Docket Information

Description	Comments	Filing Attorney	Event Filing Date	Event Filing Time	View Image
Entry of Appearance	FOR JONATHAN D MARX, ESQ ATTY FOR PLAINTIFF		06/20/2016	02:34:23 PM	
Writ issued			06/20/2016	02:34:54 PM	
Receivable Created For \$285.50			06/20/2016	02:35:47 PM	
Case Initiated - Writ of Summons			06/20/2016	02:35:47 PM	View Image
Receipt# 179333 generated for the amount of \$ 285.50			06/20/2016	02:39:27 PM	
Praeipce for Rule to File Complaint	AND RULE TO FILE COMPLAINT	DIORIO , ROBERT M	07/20/2016	03:18:26 PM	View Image
Praeipce for Appearance			07/20/2016	03:25:54 PM	View Image
Receipt# 183347 generated for the amount of \$ 50.00			07/20/2016	03:26:08 PM	
Complaint Filed			08/17/2016	03:45:26 PM	View Image

[Click to see Judgment Details information](#)

Kaplun Marx, PLLC
Jonathan D. Marx, Esquire
ID. # 48263
Two Bala Plaza, Suite 300
Bala Cynwyd, PA 19004
Tel.: 610-660-7780
Fax: 610-572-7301

Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PA
CIVIL ACTION - LAW

STEPHEN MCCLOSKEY

vs.

NO: 16-5383

COMMUNITY EDUCATION CENTERS, INC.

AND

CORRECTIONAL MEDICAL ASSOCIATES, INC.

CIVIL ACTION COMPLAINT

FILED
2016 AUG 17 PM 3:45
OFFICE OF JUDICIAL SUPPORT
DELAWARE CO. PA.

NOTICE TO DEFEND

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Lawyer's Reference Service
Front and Lemon Streets
Media, PA 19063
(610) 566-6625

THE PARTIES

1. Plaintiff STEPHEN MCCLOSKEY is a citizen and resident of the Commonwealth of Pennsylvania residing at the above captioned address.
2. Defendant CORRECTIONAL MEDICAL ASSOCIATES, INC., (hereinafter referred to as Correctional) is a corporation or other business entity operating under the laws of the Commonwealth of Pennsylvania with a business office at the address on the Summons filed in this matter
3. Defendant COMMUNITY EDUCATION CENTERS, INC. (hereinafter referred to as Community) is a corporation or other business entity operating under the laws of the Commonwealth of Pennsylvania with a business office at the address on the Summons filed in this matter.
4. At all times relevant, Defendants Correctional and Community were engaged in the practice of medicine and operated the hospital/infirmarary/medical facility at the George W. Hill Correctional Facility in Delaware County and were obliged to bring to bear in the practice of medicine the professional skills, knowledge and experience which they possessed or were obliged to possess and to provide medical care in accordance with reasonably safe and accepted standards of medicine.
5. At all times relevant, Defendants Correctional and Community had agents, servants, or employees acting on their behalf and within the course and scope of their employment.
6. At all times relevant hereto, all physicians, nurses, technicians, professional staff and any other individuals who provided care and treatment to STEPHEN MCCLOSKEY, while at the George W. Hill Correctional Facility on behalf of Defendants Correctional and Community, were the actual and/or apparent agents servants and/or employees of

Defendants Correctional and Community and were acting within the course and scope of their employment with the Defendants.

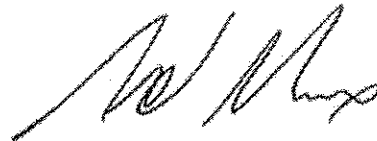
THE FACTS

7. On or about June 23, 2014, or thereafter, Plaintiff STEPHEN MCCLOSKEY, presented to the hospital, infirmary, medical facility at the George W. Hill Correctional Facility after having fallen and injured his left hand and fingers.
8. At that time and thereafter, Defendants xrayed the Plaintiff and attempted to place his dislocated fingers back into their sockets, but as a result of their negligent conduct in the diagnosis and treatment of Plaintiff's left hand and fingers, which was below the standard of accepted medical care, Plaintiff sustained injury and damages to his left hand and fingers that are permanent.
9. As a result of Defendant's Correctional and Community's care of Plaintiff and their failure to properly diagnose and treat his left hand and finger injuries, Plaintiff has been required to undergo additional medical treatment and testing, has lost the ability to use his hand in the manner he was able to do before the malpractice, cannot close his hand into a fist and will be required to seek additional treatment into the future and these damages and injuries are permanent in nature.
10. Plaintiff STEPHEN MCCLOSKEY'S injuries were caused by the carelessness and negligence of the Defendants Correctional and Community, jointly, severally and/or individually in the following particular respects:
 - a. failing to timely and properly diagnose Plaintiff McCloskey's left hand and multiple finger injuries;
 - b. failing to timely and properly treat Plaintiff's left hand and multiple finger injuries;
 - c. failing to timely refer Plaintiff to other physicians or medical providers who would have properly diagnosed and treated Plaintiff's injuries;

11. The carelessness and negligence of the Defendants as set forth in the proceeding paragraphs of this Complaint substantially increased the risk of harm to Plaintiff and was the legal cause of him necessitating additional medical care and sustaining permanent injuries to his left hand and fingers.
12. As a result of the aforesaid negligent and careless conduct of the Defendants, Plaintiff has undergone great physical pain and mental anguish to his great detriment and loss and has suffered a loss of life's pleasures and he will continue to endure same for an indefinite time into the future and the same is permanent in nature and character.
13. As a further result of the negligent and careless conduct of the Defendants, Plaintiff has paid or has been obliged to pay money for medical care in an effort to affect a cure of his aforesaid injuries, and he may be obliged to expend such sums for an indefinite time into the future, to his great detriment and loss and a lien may be asserted for all monies paid on his behalf.
14. As a further result of the negligent and careless conduct of the Defendants aforesaid, Plaintiff was, and may in the future be, prevented from attending to his usual daily duties, functions, activities and, all to his great loss and detriment.
15. As a result of the aforesaid negligent and careless conduct of the Defendants, Plaintiff has suffered a diminution in his ability to enjoy life and life's pleasures, and said diminution is permanent in nature and character.

Wherefore, Plaintiff STEPHEN MCCLOSKEY, demands judgment against the Defendants, COMMUNITY EDUCATION CENTERS, INC. and CORRECTIONAL

MEDICAL ASSOCIATES, INC., jointly, severally and/or individually in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00).

A handwritten signature in black ink, appearing to read 'J. Marx', is positioned above the printed name of the attorney.

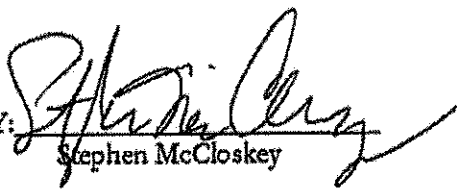
BY: _____
JONATHAN D. MARX, ESQUIRE
Attorney for Plaintiff

VERIFICATION

I, Stephen McCloskey, am the Plaintiff in the within action and state that the facts set forth in the foregoing Pleading are true and correct to the best of my knowledge, information and belief, and that this statement is made subject to the penalties of 18 Pa. C.S.A. 4904 relating to unsworn falsification to authorities.

Date: 8-15-2016

BY:


Stephen McCloskey

Supreme Court of Pennsylvania

Court of Common Pleas
Credit Court Sheet

Date Filed

County

For Probationary Use Only

Docket No.

2016 5383

The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

Commencement of Action:

- ☐ Complaint ☒ Writ of Summons ☐ Petition
☐ Transfer from Another Jurisdiction ☐ Declaration of Taking

Lead Plaintiff's Name:

Stephen McCloskey

Lead Defendant's Name:

Community Education Centers, Inc

Are money damages requested? ☒ Yes ☐ NoDollar Amount Requested: ☐ within arbitration limits
☒ outside arbitration limitsIs this a Class Action Suit? ☐ Yes ☒ NoIs this an MDJ Appeal? ☐ Yes ☒ No

Name of Plaintiff/Appellant's Attorney: Jonathan D. Marx, Esquire

☐ Check here if you have no attorney (are a Self-Represented [Pro Se] Litigant)

Nature of the Case: Place an "X" to the left of the ONE case category that most accurately describes your **PRIMARY CASE**. If you are making more than one type of claim, check the one that you consider most important.

TORT (do not include Mass Tort)

- ☐ Intentional
☐ Malicious Prosecution
☐ Motor Vehicle
☐ Nuisance
☐ Premises Liability
☐ Product Liability (does not include mass tort)
☐ Slander/Libel/ Defamation
☐ Other:
Medical Malpractice

CONTRACT (do not include Judgments)

- ☐ Buyer Plaintiff
☐ Debt Collection: Credit Card
☐ Debt Collection: Other

☐ Employment Dispute:
Discrimination
☐ Employment Dispute: Other

☐ Other:

CIVIL APPEALS

- Administrative Agencies
☐ Board of Assessment
☐ Board of Elections
☐ Dept. of Transportation
☐ Statutory Appeal: Other

☐ Zoning Board
☐ Other:

MASS TORT

- ☐ Asbestos
☐ Tobacco
☐ Toxic Tort - DES
☐ Toxic Tort - Implant
☐ Toxic Waste
☐ Other:

PROFESSIONAL LIABILITY

- ☐ Dental
☐ Legal
☒ Medical
☐ Other Professional:

REAL PROPERTY

- ☐ Ejectment
☐ Eminent Domain/Condemnation
☐ Ground Rent
☐ Landlord/Tenant Dispute
☐ Mortgage Foreclosure: Residential
☐ Mortgage Foreclosure: Commercial
☐ Partition
☐ Quiet Title
☐ Other:

MISCELLANEOUS

- ☐ Common Law/Statutory Arbitration
☐ Declaratory Judgment
☐ Mandamus
☐ Non-Domestic Relations
☐ Restraining Order
☐ Quo Warranto
☐ Replevin
☐ Other:

Updated 10/2011

Blumberg No. 5110

EXHIBIT

C

IN THE COURT OF COMMONPLEAS OF DELAWARE COUNTY, PENNSYLVANIA
CIVIL LAW -- ACTION

Stephen McCloskey
PLAINTIFF (S)

No. _____

VS.

Community Education Centers, Inc.
and Correctional Medical Associates,
Inc., DEFENDANT (S)

2016 JUN 20 PM 2:34
OFFICE OF JUDICIAL SUPPORT
DELAWARE CO. PA.

FILED

PRAECIPE FOR WRIT OF SUMMONS

TO THE OFFICE OF JUDICIAL SUPPORT:

☒ Issue summons in civil action in the above case and forward to ☐ Sheriff or
☒ Attorney.

Signature of Attorney/Pro Se Party

Jonathan D. Marx, Esquire

2 Bala Plaza, Suite 300

Bala Cynwyd, PA 19004

Name/Address/Telephone # of Attorney/Pro Se Party

Date: 6/20/16

Attorney Supreme Court ID # 48263

WRIT OF SUMMONS IN CIVIL ACTION

TO: Community Education Centers, Inc and Correctional Medical Associates, Inc

YOU ARE NOTIFIED THAT THE ABOVE- NAMED PLAINTIFF(S) HAS/HAVE COMMENCED AN
ACTION AGAINST YOU.

Date: _____

ANGELA L. MARTINEZ, ESQ.,
DIRECTOR
OFFICE OF JUDICIAL SUPPORT

By: _____

Attested to be a true and correct
copy of the original

2/11/08

List of Parties

Plaintiff:

**Stephen McCloskey
333 Ridley Avenue
Folsom, PA 19033**

Defendants:

**Community Education Centers, Inc.
35 Fairfield Place
West Caldwell, NJ 07006**

And

**Correctional Medical Associates, Inc.
1000 Circle 75 Parkway, Suite 060
Atlanta, GA 30339**

Robert M. DiOrto, Esquire
Attorney I.D. No.: 17838
Matthew H. Fry, Esquire
Attorney I.D. No. 83131
DORIO & SERENI LLP
21 West Front Street
P.O. Box 1789
Media, PA 19063
(610) 565-5700

Attorney for Defendant, Community Education Centers, Inc.

FILED
2016 JUL 20 PM 3:10
OFFICE OF JUDICIAL SUPPORT
DELAWARE COUNTY, PA

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA
CIVIL DIVISION - LAW

STEPHEN McCLOSKEY

v.

COMMUNITY EDUCATION CENTERS, INC.
and CORRECTIONAL MEDICAL
ASSOCIATES, INC.

Docket No.: 16-5383

PRAECIPE FOR RULE TO FILE COMPLAINT

TO THE OFFICE OF JUDICIAL SUPPORT:

Please enter a Rule upon Plaintiff to File a Complaint within twenty (20) days hereof or suffer the entry of a Judgment of Non Pros.

Date: July 19, 2016

BY:

DORIO & SERENI LLP

ROBERT M. DORIO, ESQ.
Attorney I.D. No.: 17838

MATTHEW H. FRY, ESQ.
Attorney I.D. No.: 83131

RULE TO FILE COMPLAINT

AND NOW, this 20 day of July, 2016, a Rule is hereby GRANTED upon Plaintiff to file a Complaint herein within twenty (20) days after service hereof or suffer the entry of a Judgment of Non Pros.

Darin Sommer
Office of Judicial Support

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Attorney for Defendant, Community Education Centers, Inc.

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, PENNSYLVANIA
CIVIL DIVISION - LAW

STEPHEN McCLOSKEY

v.

Docket No.: 16-5383

COMMUNITY EDUCATION CENTERS, INC.
and CORRECTIONAL MEDICAL
ASSOCIATES, INC.

CERTIFICATE OF SERVICE

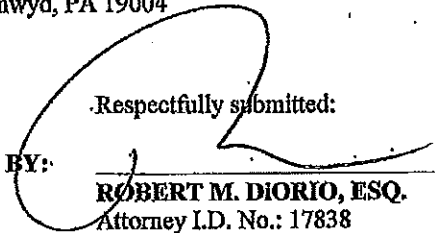
We, Robert M. DiOrio and Matthew H. Fry, attorneys for Defendant, hereby certify that a true and correct copy of the foregoing Praecipe to File Complaint was filed on the date below and a true and correct copy was served via United States First Class mail on the date below to the following:

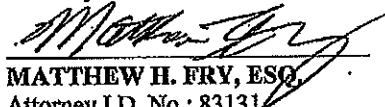
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Respectfully submitted:

Date: July 19, 2016

BY:


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